IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 150 OF 2007

IN

CRIMINAL WRIT PETITION NO.2393 OF 2004

Smt. Vithabai Shantaram Kodam
and Ors. ..... Applicants.

V/s

Mr. Govinda Sidram Urut & anr. ..... Respondents.

Mr. Priyal G. Sarde for applicants.

Mr. Y.M. Nakhwa, APP for the State.

CORAM: V.M. KANADE, J.

DATE : 3rd September, 2007

P.C.:

1. This is an application for restoration of the Petition which was dismissed for want of prosecution.

2. The learned Counsel appearing on behalf of the applicant submits that he has learnt that the main matter is settled out of Court and, therefore, the said Writ Petition is rendered infructuous. He,

however, submits that he has not received written instructions.

3. Application is therefore dismissed as it has become infructuous. Liberty is granted to the applicants to revive the application for restoration in the event the matter is not settled out of Court. Applicant is permitted to withdraw the amount which is deposited in this Court.

(V.M. KANADE, J.)